1908-041 Chancery Causes: Elsie Wilson vs. Charles Wilson alias Jasper Wilson Powell
Lee Co.

Russell, Rivers, Howard, Oaks

CA-Divorce
T-Migration
Vices

To the Honerable H. A. W. Skeen, Judge of the Circuit Court for Lee County, Virginia.

Your complainant, ElsieWilson , respectfully represents:

(1) That your complainant was lawfully married, in the year 1906, to one Chas. Wilson, as he represented himself; and

(2) That priorto the date of said marriage the said Chas. Wilson falsely and deceitfully represented unto your complainant that he had been licensed by a Baptist Church in his home town , in the State of West Virginia, to preach the Gospel , and that he was a regularly licensed preacher of said denomination; that your complainant lived with said Chas. Wilson, as his wife, for a short time after said marriage, to-wit, for the period of two months; that your complainant grew suspicious as to the true character of said Chas. Wilson; that your complainant wrote to parties living in the town in west virginia from which said Chas. Wilson claimed to have come, and inquired as to the true character and ~~xxxxxx~~ previous reputation of said Wilson; that said parties replied that said Wilson was not a minister of the Gospel, as he represented himself to your complainant to be, that he was a man of bad repute morally in that community, and that he was known to them as Jasper Wilson Powell, and not as Chas. Wilson, as he had represen. ted to your complainant; that your complainant confronted said Wilson with these letters, whereupon said Wilson left the home of your complainant, and abandoned and deserted her; that said Wilson (as was reported to your complainant) continued to masquerade as a minister of the Gospel under his assumed name of Chas. Wilson, and held revival meetings in Middlesboro, Ky., and other points; and that since he deseted her your complainant has not seen said Wilson nor co-habited with him; and

(3) That said Wilson has since the aforesaid marriage committed adultery, that is to say, on a certain day in the month of December, 1906,(your complainant has been unable to ascertain the precise date), the said Chas. Wilson was seen to meet, after dark, in a disreputable district of the City of Middlesboro, Ky., a certain Annie Belle Russell, a woman of notoriously lewd character; that a short time afterwards the said Chas. Wilson and the said Annie Belle Russell were seen to go away together into a dark and secluded part of the said city; that said Chas. Wilson was seen to return therefrom after the interval of ab out three-quarters of an hour; and that on another occasion, within twelve months after the date of the aforesaid marriage(your complainant is unable to state the precise date), the said Chas. Wilson was seen in a bawdy house in the City of Middlesboro, Ky.; Thatsaid Wilson was there seen to associate and mingle with the prostitutes therin; and

(4) That your complainant heard for the first time of said acts of adultery about one month ago; that she has not co-habited with him since obtaining knowledge of the fact of said acts of adultery; and since she obtained said knowledge she has lived with her father, in Lee County, at Glemp P. O., Va.; and

(5) That at the time of the institution of this suit it had not been five years since said adultery occurred; and that it was not procured by the procurement or connivance of your complainant;and

(6)That your complainant is a resident of Lee County, Va., and has been so for a period of more than twelve months previous to the institution of this suit; and that said Chas. Wilson is not a resident of the state of Virginia.

In consideration whereof, and forasmuch as your complainant is remidiless save in a court of equity, your complainant prays that the said Chas. Wilson may be made a party defendant to this bill, and required to answer the same, but not under oath, the

oath being hereby waived; that an order of publication be caused to issue against said defendant; that a divorce from the bonds of matrimony which was created by aforesaid marriage be decreed her; and she restored to her maiden name, Elsie Rivers and that your complainat may have all such further, and other, and general relief in the premises as the nature of her case may require or to equity seem meet.

And your complainant will ever pray, etc.

Pennington Bros. P.Q.
for
Elsie Wilson.....Complainant

State of Va., County of Lee, to-wit:

Elsie Rivers , the complainant named in the foregoing bill, being duly sworn, says that the facts and allegations therein contained are true , except so far as they are therein stated to be on information, and that so far as they are therein stated to be upon information she believes them to be true.

.....Complainant.

Taken, sworn to and subscribed before me, _____, a _____ of and for the county aforesaid in the State aforesaid, in my county aforesaid, this _____day of _____, 1908.

_____

Costs:

Clerk.	$4.80
Tax	1.50
Shff.	.50
Printer	5.00
atty.	15.00
	$26.80
W. H. Gole, N.P.	3.00
R. E. L. Chumbley " "	1.00
Wit.	.50
	$31.30

Elsie Wilson

vs } Bill

Charles Wilson

1908 1st Feb. Rules
Bill filed, Spa.
executed

" 2nd Feb. Rules
Cause set for
hearing.

Elsie Wilson, plaintiff

Vs.

Charles Wilson, Defendant.

In Chancery.

This cause came on this the _____ day of May, 1908, to be heard upon the complainant's bill; proof of legal service by publication and posting of a proper summons by publiaation against the said defendant, and he failing to appear and answer said complainant's bill; the depositions of Silas Rivers and E. J. Howard, taken in Virginia, before a commissioner in chancery; and the depositions of W. R. Oakes, taken in the State of Kentucky, before a Notary Public; And was argued by counsil.

On consideration on all which, it appearing to the Court independantly of the admission of either party to this cause, that the said parties heretofore were duly married to each other; that the said compàainant is now and has been for more than a year previous to The institution of this suit domiciled in this County and State; that the said defendant without the consent, procurement or connivance of the said complainant has been guilty of adultry within the last three years; And that the said complainant has not lived or cohabited with the said defendant since she had information of the adulterous acts of her husband; It is therefore adjudged, ordered and decreed that the said Elsie Wilson and Charles Wilson, be and are hereby forever divorced from the bond of matrimony which was created bythe marriage aforesaid and that the said marriage be and the same is hereby dissolved and annulled; And it is further adjudged, ordered and decreed that the said Elsie Wilson, shall recover from daid Charles Wilson, her cost in this suit expended: And it is further adjudged, ordered and decreed that the said Elsie Wilson, be restored to her maiden name, and that she be hereafter known as Elsie Rivers, instead of Elsie Wilson. And this cause is stricken from the docket.

Elsie Wilson

vs } Decree Final

Charles Wilson

Entered in C.O.B.
#8, page 369 etc.

Entered this
May 4 1908.
H. C. W. Dixon

The depositions of Silas Rivers taken before me , R. E. L. Chumbley, a commissioner in Chancery for the Circuit Court of Lee County, Va., at the law office of E. W. Pennington in the town of Pennington Gap,, in said County of Lee, on this the 18th day of February, 1908, to be read as evidence in behalf of the complainant in a certain suit in chancery now pending in the Circuit Court for Lee County, Va., wherein Elsie Wilson is complainant and Charles Wilson is defendant.

Present : E. W. Pennington, attorney for the complainant. No one for the defendant.

Silas Rivers, a witness of lawful age, after being duly sworn, deposes as follows:

Q. Give your name, age, residence and occupation.

A. Silas Rivers. 22 years of age. Slemp P. O. , Lee County, Va. A farmer.

Q. 2. Are acquainted with both the plaintiff and defnedant in this cause. If you say you are, state how long you have known each of them.

A. 2. Yes . I knew wilson about two months, and the complainant all of her life; she is my sister.

Q. 3. State , if you know whether the said complainant and defendant were married to each other, and state as nearly as you can the date of said marriage.

A. They were married some time in June, 1906.

Q. 4. If you know, tell what the said Charles Wilson represented himself to be before, at the time he married your sister, and afterwards.

A. He claimed to be a single man and never married before, and a man of good standing and a minister of the Missionery Baptist Church.

Q. 5. From whence did said Wilson claim to come?

A. He claimed to come from some town in W. Va., and said that he was raised there.

Q. 6. State whether you , your said sister, or your father after said complainant and defendant were married took any steps to find out whether the said defendant was a duly licensed minister in the Baptist church, and if so, tell what steps were taken, in order to find out the truth of his representations.

A. My father wrote to the church from which he claimed that the license was given from and they said no license had been granted to him from that church. And they wrote that one of the men,s names that was signed to the license as that of a deacon of the church was not a deacon of that church and that two others whose names appearde upon the license had never been heard of by that church.

Q. 7. After obtaining the information concerning said wilson, just detailed by you in your next preceeeding answer, state whether you all informed said wilson of the information you had obtained concerning him?

And if you did inform him , tell what he said and done.

A. We told him what we had written to the church in W. Va. and before we got any answer he left , and we understand that he went to Middlesboro, Ky., or at least this was the last we heard of him.

Q. 8. How long about did said wilson live with the said complainant before he left her?

A. About one month.

Q. 8. Have they ever lived or co-habited together since he left her?

A. They have not seen each other since.

Q. 9. At the time they were married to each other and at the timme he left her, where were they making their home?

A. At her father's, in this county.

Q. 10. Where does your sister, the complainant in this suit, now live and make her home, and how long has she been so living?

A. At her father's. she has lived there all of her life.

Q. 11. Then do you say that the complainant in this suit has been domiciled and resided in this county for as much as one year previous to her institution of this suit?

A. Yes; she has lived in this county all of her life.

Q. 12. Why did you all write to the W. Va . Church to know something about him , the said defendant.

A. Shortly after they were married we called on him for a recommendation; he pretended to have written and finally brought a letter, purporting to be signed by Rev . Smith, of Bristol, Va.-Tenn. The letter was without any envelope, so we doubted its genuineness and went to the postmaster at Slemp on the same day he claimed to have gotten the letter, and the postmaster told us that Wilson had gotten no letter from the office. We then wrote to the church from which he claimed to have had this license in W. Va. I now remember the place in W. Va. that he gave, which was Glenville. And We told him what we had done and he thereupon skipped; as above detailed by me.

And further this deponent sayeth not, etc.

Silas Rivers
.....

The further taking of these depositions ~~xxx~~ is postponed to Monday, the 24th day of February, 1908, at the same place as is mentioned in the above caption.

Given under my hand this the 18th day of February, 1908,

R. E. L. Chumbley, Comm'r in Chancy
.....

The furhther taking of these depositions are resumed at the law office of E. W . Pennington, in the town of Penington Gap, Lee Co., Va., on this the 24th day of February, 1908.

R. E. L. Chumbley, Commr in Ch.

Present: E. W. Pennington, atty. for the complainant; no one for the defendant.

E. J. Howard, a witness of lawful age, being duly sworn, deposes as follows.

Q. 1. Give your name, age and residence.

A. E. J. Howard. I am 28 years old. I live in this county near the town of Dryden.

Q. 2. Did you ever know the defendant in this case, Charles Wilson.

A. I never did.

Q.3. Did you ever see a man bearing the name of Charles wi.lson? If so, tell as nearly as you can where and when it was.

A. Along about Jan., 1907, in the town of Middlesboro, Ky., and in a house near the passenger depot I saw a man in bed with a woman , whose name, I was informed, to be that of wilson. My informant as to the name of this man was J. W. Massie, and I think Mr. Massie now lives about Cumberland Gap. The house in which Mr. Wilson was in was generally reputed to be a bawdy house. There were three women in that house the night Wilson was seen there by me. The house was occupied by a women and her two daughters, and the man wilson was in the bed with the old woman, the mother. There were two others boys there with me that night and I saw them in bed with the two daughters. I staid for a short while and left I never was at that place but the one time..The other man who were there that night were Clarence Stony. I think he is now about

Hamilton Springs, Tenn. The man Wilson, whom I saw in bed that night with the old woman, was said to be a preacher. I think he had been run out of holding meetings before I saw him that night.

And further this deponent sayeth not.

E J Howard

.....

State of Virginia,

County of Lee, to-wit:

I, E. E. L. Chumbley, a commissioner in chancery for the Circuit Court for Lee County, in the state of Virginia, do hereby certify that the foregoing depositions were duly taken, reduced to writing, and signed by the witnesses, respectively, before me, at the times and places therein mentionned.

Given under my hand this 24th day of February, 1908.

E.E.L. Chumbley ...comm'r..in.Chancery..

Costs;

Commissioner's fee taking depositions - $1.00, Pd.

Elsie Wilson

vs } Depositions

Chas. Wilson

Received by mail in good condition and filed Feb. 27, 1908.

H. C. T. Ewing,
Clerk.

Leander Shaw Atty

Elsie Wilson	Plaintiff	)	
vs		)	In Chancery
Charles Wilson	Defendant	)	

The deposition of W.R.Oaks taken before me W.H.Gagle a Noatry Public in and for the County of Bell and state of Kentucky ,at the Law office of W.H.Gagle at Middlesboro in said county and state o n this the 8th.day of April 1908,to be read as eveidence in behalf of the plaintiff in a certain suit in Chancery now pending in the Circuit Court for Lee county in the state of Virginia,wherein Elsie Wilson is plaintiff and Charles Wilson is Defendant.

Present E.W.Pennington Attorney for the plaintiff and no one for the defendant.

W.R.Oaks a witness of lawful age after being duly sworn deposes as follows:

1st. Give your name,age,residence and occupation.

Ans. My name is W.R.Oaks,47 years old,residence Middlesboro Ky. a [illegible]tion Merchant.

2. Pleas[illegible]te if you ever knew Charles Wilson the defendant in this cause,if so,state where it was you did know him.

Ans. I did know him,or a man that passed himself as such, It was in the fall of the year 1906,that I knew him.

3. What profession if any did said Charles Wilson professed to follow,when you knew him.

Ans. He claimed to be a minister of the Baptist Church.

4. If you ever saw any obscene conduct out of the said Charles Wilson,tell what it was and where.

Ans. I saw him meet a woman near my store in Middlesboro Ky.about 16th.and Saulberry Ave.and had some words together,and I could not hear what they said,and after talking,she went on down the street and he came to my store door,and turned then and went back down to where the woman had gone,and I saw him catch up with her,and he took hold of her arm,and they went on down the canal together out of my sight. He was gone about three quarter of an hour I guess,and he came back into my store,and said he was going to church and wanted me to go with him; I told him I could not go with him. It was sometime between sundown and dark when I saw him with the woman.

5. If you know tell who the woman was with whom you saw him with.

Ans. Annabell Russell.

6. If you know tell what the general reputation in Middlesboro was of Annabell Russell,her chastity and virtue.

Ans. She was as bad as they get.

7. Was she considered to be a virtuous and chaste woman at that time.

Ans. No.

8. Is it not a fact that at the time you saw Mr.Wilson with her on the occasion above mentioned by yoou,she was known as a common prostitute of the worst kind.

Ans. Yes sir.

9. Did you ever say anything about what you saw,if so what did said Wilson do.

Ans. I told it to different people,and some one told it to him,and he threatened to law me about it; I sent him word that if I heard any more about it I would prove on him what I had told. He would never come into my store anymore after that and left town in three or four days;I never saw anymore of him after that

10. If you know tell where the said Charles Wilson lives at this time.

Ans. I dont know. I never heard anything more of him after the matters as above stated by me.

And further this deponent saith not.

W R Oaks

State of Kentucky. } Sct.
County of Bell. }

I,W.H.Gagle a Notary Public in and for the state and county aforesaid,do hereby certify that the foregoing deposition of W.R.Oaks was duly taken and reduced to writing and signed by him before me at the time and place mentioned in the caption.
Given under my hand and seal this 8th.day of April 1908.

W H Gagle
Notary Public Bell County Ky.

Notary Fee $3.00 Paid by E.M.Pennington

Elsie Wilson
vs. } In Chancery
Charles Wilson

Deposition of
W. R. Oaks

Filed Apr. 9, 1908,
H. C. P. Ewing,
Clerk.

Witness fair 50.c
Notary Public 3.00
3.50

Virginia,

Lee County,to-wit:-

This day Silas Rivers appeared in person before me, a notary public in and for the County and State aforesaid, and made oath that Charles Wilson,against whom Elsie Wilson is about to institute a suit in equity in the Circuit Court of Lee County, is a non-resident of this Commonwealth.

Given under my hand this the 6th day of January,1908.

R. E. L. Chumbley

Notary Public.

My Commission expires Oct. 28, 1911.

Elsie Wilson, Complaintant.

Vs. Affidavit.

Charles Wilson, Defendant.

Filed Jan. 7, 1908-

W. G. Ewing,
Clerk

BOATRIGHT PRINTING CO., GATE CITY, VA.

In the Clerk's Office of the Circuit Court of the county of Lee, on the 7th day of January, 1908.

Elsie Wilson,

Plaintiff,

against

Charles Wilson,

Defendant

In Chancery

The object of this suit is to obtain a divorce, a vinculo matrimonii, by the said complainant from the said defendant.

And an affidavit having been made and filed that the defendant, Charles Wilson is not a resident of the State of Virginia, it is ordered that he do appear here within fifteen days after due publication hereof, and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Jonesville Star and that a copy be posted at the front door of the Courthouse of this county as prescribed by law.

A copy—Teste:

Pennington Bros., p. q.

H. C. J. Ewing, Clerk.
By W. O. Harvey, D. C.

Elsie Wilson

vs. { ORDER OF PUBLICATION

Charles Wilson.

Virginia, Lee County, to-wit:
I, N. C. D. Ewing, County Clerk for and in the County aforesaid, do certify That I posted a true copy of the within order of publication at the front door of the Court-house of said County on this day.
Given under my hand, this 17th day of January, 1908.

N. C. D. Ewing,
Clerk.

State of Virginia,

County of Lee, to-witt:

To the sheriff or constable of Lee County greeting:

I hereby command you in name of Common Wealth of Virginia, to summons Elhannon Howard, to appear at the law office of E. W. Pennington, in the town of Pennington Gap, in said County on Monday 24th, day of Feb. 1908, at 10 A. M., to give evidence in behalf of Elsie Wilson, in the chancery suit pending in the Circuit Court for Lee County, wherein the said Elsie Wilson, is plantiff, and Charles Wilson, is defendent.

And this the said Howard, will in no wise omit under penalty of $20#00.

Given under my hand, this the 17th, day of February 1908.

J M Howard J.P.

Elsie Wilson

vs. } Spa

Chas. Wilson
executed by
summons
& Shannon Howard
and Paid him 50 cts
this feb 19 1908
J. J. Hughes
C L C

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon Charles Wilson

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 1st Monday in Feby, 190 8, to answer a bill in chancery exhibited against him by Elsie Wilson,

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 17" day of Jan, 1908, and 132" year of the Commonwealth.

H C T Ewing, Clerk

A Copy, Teste:

, Clerk

Elsie Wilson

VS { SUBPŒNA IN CHANCERY

Charles Wilson

Pen. Brod., p. q.

To ~~1st Feby~~ ~~1st March~~ Rules

Lee Circuit Court

1908

Order of Publication.

At the Clerk's Office of the Circuit Court of the county of Lee, on the 7th day of January, 1908.

ELSIE WILSON, Plaintiff,

against

CHARLES WILSON, Defendant.

In chancery.

The object of this suit is to obtain a divorce a vinculo matrimonii, by the said complainant from the said defendant. And an affidavit having been made and filed that the defendant, Charles Wilson, is not a resident of the State of Virginia, it is ordered that he do appear here within fifteen days after due publication hereof, and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Jonesville Star and that a copy be posted at the front door of the Courthouse of this county as prescribed by law.

A copy—Tsete:

H. C. T. EWING, Clerk.

By M. E. FLANARY, D. C.

PENNINGTON BROS, p. q.

Elsie Wilson

vs

Chas Wilson

I, J. C. Boatright, editor of The Jonesville Star, a weekly newspaper published in the county of Lee, state of Virginia, do hereby certify that the enclosed notice was published in said paper once a week for four successive weeks, commencing on the 9 day of Jan, 1908

J. C. Boatright, Editor.

FEE $ 5.00